

### REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 2, 4-7, 9-12, 14-17, and 19-25 are pending in this application. Claims 1, 6, 11, 16, and 25 are amended by the present amendment.

Amendments to the claims find support in the application as originally filed, at least in the specification at page 41, lines 3-22, and in Applicants' Fig. 9. Thus, no new matter is added.

In the outstanding Office Action, Claims 1, 2, 4-7, 9-12, 14-17, and 19-25 were rejected under 35 U.S.C. § 112, second paragraph; Claims 1, 2, 4-7, 9-12, 14-17, and 19-25 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent 6,263,317 to Sharp et al. (herein "Sharp") in view of U.S. Patent 5,839,076 to Hafner et al. (herein "Hafner") and U.S. Patent 5,311,424 to Mukherjee et al. (herein "Mukherjee"); and Claims 1, 2, 4-7, 9-12, 14-17, and 19-25 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sharp in view of Hafner, Mukherjee, and Official Notice.

Regarding the rejection of Claims 1, 2, 4-7, 9-12, 14-17, and 19-25 were rejected under 35 U.S.C. § 112, second paragraph, Applicants respectfully submit that the claims particularly point out and distinctly claim the subject matter of the invention. However, in the interest of compact prosecution, independent Claim 1 is amended to recite means for deleting a quantity of old product and a quantity of new product from the generated stock control information when a date condition is met, and Claims 6, 11, 16, and 25 are similarly amended, in light of comments in the Office Action. Therefore, it is respectfully requested the rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

Applicants respectfully traverse the rejections of Claims 1, 2, 4-7, 9-12, 14-17, and 19-25 under 35 U.S.C. § 103(a) as unpatentable over Sharp in view of Hafner, Mukherjee and/or Official Notice, with respect to amended independent Claims 1, 6, 11, 16, and 25.

Amended Claim 1 is directed to a distribution management device that includes, in part, means for receiving via a network first order information of merchandise and second order information of the merchandise. The first order information is formed based on a first purchase request received via a first sales channel that uses the network. The second order information is formed based on a second purchase request received via a second sales channel which is a point-of-sale location that does not use the network. The first order information indicates a first quantity of merchandise purchased via the first sales channel, and the second order information indicates a second quantity of merchandise purchased via the second sales channel.

The distribution management device also includes means for storing information regarding a debut date on which a new product in the merchandise will replace an old product in the merchandise, and a transportation delay time indicating a time required to transport the second quantity of merchandise from a manufacturing factory to a point-of-sale location that does not use the network to receive the second purchase request. Additionally, the distribution management device includes means for deleting, from the generated stock control information, a quantity of the old product purchased in the first sales channel and a quantity of the old product purchased in the second sales channel to produce updated stock control information when a current date is within the transportation delay time of the debut date. Amended independent Claims 6, 11, 16, and 25 include similar features directed to different classes and scopes of inventions.

Applicants respectfully submit that Sharp, Hafner, Mukherjee, and/or Official Notice fail to teach or suggest each of the features of any of the amended independent claims.

Sharp describes a computer system and method of operating the computer system that allows manufacturers and distributors of products to participate in an e-commerce market place without violating existing distribution agreements.<sup>1</sup> To avoid unfairness to retailers and manufacturers, the method of Sharp includes a conflict resolution scheme to allocate on-line purchases to different entities (e.g., retailers or distributors) according to a protocol. Thus, although a retailer and a distributor may each be allocated proceeds from a purchase made through the sales channel, Sharp only describes the single sales channel for receiving purchase orders (i.e., the on-line sales channel). Thus, Sharp neither describes nor otherwise suggests plural sales channels. Further, Sharp is silent regarding deleting a portion of stock control information corresponding to an old product based on a transportation delay time.

Accordingly, it is respectfully submitted that Sharp fails to teach or suggest “means for storing information regarding a debut date on which a new product in the merchandise will replace an old product in the merchandise, and a transportation delay time indicating a time required to transport the second quantity of merchandise from a manufacturing factory to a point-of-sale location that does not use the network to receive the second purchase request [and] means for deleting, from the generated stock control information, a quantity of the old product purchased in the first sales channel and a quantity of the old product purchased in the second sales channel to produce updated stock control information when a current date is within the transportation delay time of the debut date,” as required by Claim 1, and as similarly required by Claims 6, 11, 16, and 25.

Hafner describes a replenishment system 10 that may receive inventory information from a retailer host 60 and the inventory information may be point of sale data which may be transferred as 852 or 846 EDI document and inventory adjustments or transferred as a 947

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<sup>1</sup> Sharp at Abstract and column 1, lines 35-46.

EDI document.<sup>2</sup> Thus, Hafner describes a method for a supplier to automatically replenish stock at a retailer, and in the method of Hafner, there is only a single sales channel, which is a retail sales channel. Thus, like Sharp, Hafner fails to describe plural sales channels used for receiving purchase orders, where one sales channel uses a network and another sales channel does not use the network. Also, it is respectfully submitted that Hafner fails to teach or suggest deleting quantities of merchandise from stock control information based on a transportation delay time that is a time required to transport a quantity of merchandise from a manufacturing factory to a point-of-sale location that does not use the network to receive the second purchase request.

Further, Applicants respectfully submit that Hafner and Official Notice fail to teach or suggest the claimed features lacking in the disclosure of Sharp. Additionally, Applicants respectfully traverse the assertion in the Office Action that Hafner at column 5, line 15 to column 6, line 41 teaches the “means for deleting” features lacking in Sharp. On the other hand, the Office Action is completely silent regarding any disclosure in any prior art reference that teaches or suggests that the “deleting” is based on a current date being within a certain amount of time of a debut date of a new product.

Additionally, Applicants respectfully submit that Sharp, Hafner, Mukherjee, and Official Notice fail to disclose, teach, or otherwise suggest storing any information indicating a time required to transport merchandise from a factory to a point-of-sale location, Sharp, Hafner, Mukherjee, and Official Notice fail to suggest that the point-of-sale location is one that does not use the network to receive a second purchase request including a quantity of the merchandise, and Sharp, Hafner, Mukherjee, and Official Notice fail to suggest deleting quantities of stock information from generated stock control information when a current date is within the time required for transportation of the debut date.

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<sup>2</sup> Hafner, at col. 3, line 64 to col. 4, line 7, and Fig. 1.

Therefore, it is respectfully submitted that Sharp, Hafner, Mukherjee, and Official Notice fail to disclose, teach, or otherwise suggest “means for storing information regarding a debut date on which a new product in the merchandise will replace an old product in the merchandise, and a transportation delay time indicating a time required to transport the second quantity of merchandise from a manufacturing factory to a point-of-sale location that does not use the network to receive the second purchase request [and] means for deleting, from the generated stock control information, a quantity of the old product purchased in the first sales channel and a quantity of the old product purchased in the second sales channel to produce updated stock control information when a current date is within the transportation delay time of the debut date,” as required by Claim 1, and as similarly required by Claims 6, 11, 16, and 25.

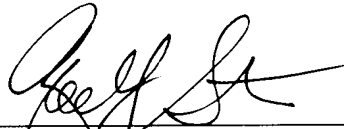
Accordingly, Applicants respectfully submit that independent Claims 1, 6, 11, 16, and 25, and claims depending therefrom, patentably define over Sharp, Hafner, Mukherjee, and Official Notice.

Therefore, Applicants respectfully submit that independent Claims 1, 6, 11, 16, and 25, and claims depending therefrom, are allowable.

Consequently, in light of the above discussion and in view of the present amendment this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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